

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

429S0547

HOUSE TRANSPORTATION ENGROSSED NO. **HB 1192** - 2/10/2011

Introduced by: Representatives Street, Blake, Bolin, Brunner, Cronin, Dennert, Elliott, Feickert, Gibson, Hoffman, Jones, Kirkeby, Lucas, Rozum, Schaefer, Steele, Tulson, Turbiville, Van Gerpen, Verchio, Willadsen, and Wismer and Senators Hansen (Tom), Begalka, Cutler, Frerichs, Fryslie, Hundstad, Krebs, Lederman, Maher, Putnam, and Vehle

1 FOR AN ACT ENTITLED, An Act to increase certain registration fees for the use of motor
2 vehicles on the public highways.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 32-5-6 be amended to read as follows:

5 32-5-6. License fees and compensation on a noncommercial motor vehicle which is an
6 automobile, pickup truck, or van as provided by § 32-5-5, shall be determined by the
7 manufacturer's shipping weight, including accessories, as follows:

8 (1) Two thousand pounds or less, inclusive, thirty dollars;

9 (2) From 2,001 to 4,000 pounds, inclusive, ~~forty-two~~ fifty-one dollars;

10 (3) From 4,001 to 6,000 pounds, inclusive, ~~fifty-five~~ seventy-two dollars and fifty cents;

11 (4) Over 6,000 pounds, ~~sixty-five~~ ninety-two dollars and fifty cents.

12 Section 2. That § 32-5-6.3 be amended to read as follows:

13 32-5-6.3. License fees on a noncommercial motor vehicle which is not an automobile,



pickup truck, or van licensed pursuant to § 32-5-6 shall be determined by the gross weight of the motor vehicle as defined by subdivision 32-9-1(6), and based on the following:

(1) Eight thousand pounds or less, inclusive, ~~fifty-five~~ eighty-two dollars ~~and fifty cents~~;

(2) For each additional 2,000 pounds or major fraction thereof ~~from 8,001 to 32,000 pounds, inclusive, three dollars~~ from 8,001 to 20,000 pounds, inclusive, six dollars;

(3) For ~~each additional 2,000 pounds or major fraction thereof from 32,001 to 54,000 pounds, inclusive, six dollars~~;

~~(4) For each additional 2,000 pounds or major fraction thereof from 54,001 to 80,000 pounds, inclusive, eighteen dollars;~~

~~(5) For each additional 2,000 pounds or major fraction thereof in excess of 80,000 pounds, twenty-four dollars~~ a vehicle in excess of 20,000 pounds, the total license fee shall be forty-five percent of the total license fee established for commercial vehicles of equivalent weight pursuant to § 32-9-15.

It is a Class 2 misdemeanor for a person to operate a motor vehicle licensed pursuant to this section at a gross weight in excess of the gross weight for which it has been licensed. If the owner chooses to lower the registered weight, the plate shall be returned along with any validation decal and a new plate issued with the correct registered weight.

Section 3. That § 32-5-6.1 be amended to read as follows:

32-5-6.1. License fees for any noncommercial motor home shall be determined by the manufacturer's shipping weight, including accessories, as follows:

(1) Six thousand pounds or less, inclusive, ~~sixty~~ seventy-five dollars;

(2) From 6,001 to 8,000 pounds, inclusive, ~~eighty~~ one hundred dollars;

(3) From 8,001 to 10,000 pounds, inclusive, one hundred twenty-five dollars;

(4) For each additional 2,000 pounds or major fraction thereof, in excess of 10,000

1 pounds, ~~twenty~~ twenty-five dollars.

2 For the purposes of this section, a motor home is a vehicle designed to provide temporary
3 living quarters for recreational, camping, or travel use, built on or permanently attached to a
4 self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the
5 completed vehicle.

6 Section 4. That § 32-5-8 be amended to read as follows:

7 32-5-8. License fees and compensation for any recreational vehicle as defined in § 32-3-1
8 or for any noncommercial trailer and semitrailer, for use of the highways payable under § 32-5-5
9 and pulled by a noncommercial motor vehicle on which the license fees were paid pursuant to
10 § 32-5-6, shall be determined upon the basis of their actual weight as follows:

- 11 (1) One thousand pounds or less, inclusive, ~~ten~~ twelve dollars and fifty cents;
- 12 (2) From 1,001 to 2,000 pounds, inclusive, ~~twenty~~ twenty-five dollars;
- 13 (3) From 2,001 to 3,000 pounds, inclusive, ~~thirty-five~~ forty dollars;
- 14 (4) From 3,001 to 4,000 pounds, inclusive, ~~forty-five~~ fifty-two dollars and fifty cents;
- 15 (5) From 4,001 to 5,000 pounds, inclusive, ~~fifty-five~~ sixty-five dollars;
- 16 (6) From 5,001 to 6,000 pounds, inclusive, ~~sixty-five~~ seventy-seven dollars and fifty
17 cents;
- 18 (7) From 6,001 to 7,000 pounds, inclusive, ~~seventy-five~~ ninety dollars;
- 19 (8) From 7,001 to 8,000 pounds, inclusive, ~~eighty-five~~ one hundred two dollars and fifty
20 cents;
- 21 (9) From 8,001 to 9,000 pounds, inclusive, ~~ninety-five~~ one hundred fifteen dollars;
- 22 (10) From 9,001 to 10,000 pounds, inclusive, one hundred ~~five~~ twenty-seven dollars and
23 fifty cents;
- 24 (11) For each additional 1,000 pounds or major fraction thereof, in excess of 10,000

1 pounds, ~~ten~~ twelve dollars and fifty cents.

2 Any trailer or semitrailer licensed pursuant to this section may be pulled by a
3 noncommercial motor vehicle licensed pursuant to § 32-5-8.1 or a commercially licensed motor
4 vehicle if the motor vehicle is registered at a gross weight to cover the weight of the trailer and
5 its load.

6 Section 5. That § 32-5-9 be amended to read as follows:

7 32-5-9. License fees and compensation for use of the highways payable under § 32-5-5 shall
8 be: ~~nine~~ twelve dollars ~~and fifty cents~~ for motorcycles with a piston displacement of less than
9 three hundred fifty cubic centimeters and ~~twelve~~ fourteen dollars and fifty cents for motorcycles
10 with a piston displacement of three hundred fifty cubic centimeters or more.

11 Section 6. That § 32-6B-21 be amended to read as follows:

12 32-6B-21. The department shall issue metal numerical license plates to licensed dealers
13 upon application and payment of a ~~forty-two~~ sixty-three dollar yearly fee to be paid at the time
14 of the annual review date for each set desired. ~~Such~~ The fees shall be distributed in the manner
15 specified in §§ 32-11-2 and 32-11-4.1 to 32-11-9, inclusive. The license plates shall be
16 numbered consecutively and shall bear as a prefix the number 77. The plates may be issued for
17 a multiple year period. If a dealer's license is revoked or canceled or the dealer goes out of
18 business the 77 plates shall be returned to the department. If any person operates a motor vehicle
19 with 77 plates after the dealer license is revoked or canceled or after the dealer goes out of
20 business, or if the person refuses to return the plates, the person is guilty of a Class 2
21 misdemeanor.

22 Section 7. That § 32-6B-23 be amended to read as follows:

23 32-6B-23. The department shall issue to any motorcycle dealer and trailer dealer licensed
24 pursuant to this chapter metal number plates bearing a prefix of the letter "D" and containing

1 a distinguishing identification number of the licensee. The dealer shall make application to the
2 department for the plates and pay a fee of ~~ten~~ fifteen dollars for each plate. One license plate
3 shall be displayed on the rear of any motorcycle, or trailer, semitrailer, or travel trailer, owned
4 by the dealer while traveling on a public highway. Any vehicle owned by the licensed dealer and
5 bearing the dealers' metal plate may be operated on the streets and highways of this state for any
6 purpose, including demonstration by a prospective buyer. All money collected pursuant to this
7 section shall be distributed in the manner specified in § 32-11-2 and §§ 32-11-4.1 to 32-11-9,
8 inclusive.

9 Section 8. That § 32-6B-36.3 be amended to read as follows:

10 32-6B-36.3. The department shall issue metal numerical license plates to an auction agency
11 upon application and payment of a ~~forty-two~~ sixty-three dollar yearly fee to be paid at the time
12 of the annual review date for each set desired. Such fees shall be distributed in the manner
13 specified in §§ 32-11-2 and 32-11-4.1 to 32-11-9, inclusive. The license plates shall be
14 numbered consecutively and shall bear as a prefix the number "99." The plates may be issued
15 for a multiple year period. If an auction agency's license is revoked or canceled or the auction
16 agency goes out of business, the "99" plates shall be returned to the department. If any person
17 operates a motor vehicle with "99" plates after the auction agency's license is revoked or
18 canceled or after the auction agency goes out of business, or if the person refuses to return the
19 plates, the person is guilty of a Class 2 misdemeanor.

20 Section 9. That § 32-5-30 be amended to read as follows:

21 32-5-30. If any noncommercial motor vehicle, according to the manufacturer's model year
22 designation, is ~~five~~ ten years old or more on January first of the year for which a license fee is
23 required, such fee shall be seventy percent of the fee ordinarily prescribed.

24 Section 10. That § 32-9-15 be amended to read as follows:

32-9-15. In consideration of the unusual use of the public highways, each person, except as otherwise provided in this chapter, desiring to operate a motor vehicle, trailer, or semitrailer, upon the public highways of this state as a motor carrier, shall annually pay the commercial motor vehicle fee as follows, to the county treasurer of the county of which ~~he~~ the person is a resident, if a carrier of property; or to the Department of Revenue and Regulation, if ~~he~~ the person is not a resident of this state:

- (1) Gross weight under 4000 pounds, eighty-five dollars;
- (2) Gross weight of 4001 to 6000 pounds, one hundred dollars;
- (3) Gross weight of 6001 to 8000 pounds, one hundred fifteen dollars;
- (4) Gross weight of 8001 to 10,000 pounds, one hundred thirty dollars;
- (5) Gross weight of 10,001 to 12,000 pounds, one hundred fifty dollars;
- (6) Gross weight of 12,001 to 14,000 pounds, one hundred seventy-five dollars;
- (7) Gross weight of 14,001 to 16,000 pounds, two hundred dollars;
- (8) Gross weight of 16,001 to 18,000 pounds, two hundred twenty-five dollars;
- (9) Gross weight of 18,001 to 20,000 pounds, two hundred fifty dollars;
- (10) For each additional 2000 pounds or major fraction thereof in excess of 20,000 pounds, forty dollars.
- (11) For each vehicle or combination of vehicles as defined in § 32-22-10 with a gross weight in excess of 78,000 pounds, seven dollars in addition to the fee schedule above.

If any commercial motor vehicle, according to the manufacturer's model year designation, is ~~five~~ ten years old or more on January first of the year for which a license fee is required, that fee is ninety percent of the fee ordinarily prescribed.

Section 11. That § 32-5-6 be amended to read as follows:

32-5-6. License fees and compensation on a noncommercial motor vehicle which is an automobile, pickup truck, or van as provided by § 32-5-5, shall be determined by the manufacturer's shipping weight, including accessories, as follows:

- (1) Two thousand pounds or less, inclusive, thirty dollars;
- (2) From 2,001 to 4,000 pounds, inclusive, ~~forty-two~~ sixty dollars;
- (3) From 4,001 to 6,000 pounds, inclusive, ~~fifty-five~~ ninety dollars;
- (4) Over 6,000 pounds, ~~sixty-five~~ one hundred twenty dollars.

Section 12. That § 32-5-6.3 be amended to read as follows:

32-5-6.3. License fees on a noncommercial motor vehicle which is not an automobile, pickup truck, or van licensed pursuant to § 32-5-6 shall be determined by the gross weight of the motor vehicle as defined by subdivision 32-9-1(6), and based on the following:

- (1) Eight thousand pounds or less, inclusive, ~~fifty-five~~ one hundred dollars;
- (2) For each additional 2,000 pounds or major fraction thereof ~~from 8,001 to 32,000 pounds, inclusive, three dollars~~ from 8,001 to 20,000 pounds, inclusive, ten dollars;
- (3) For ~~each additional 2,000 pounds or major fraction thereof from 32,001 to 54,000 pounds, inclusive, six dollars;~~
- ~~(4) For each additional 2,000 pounds or major fraction thereof from 54,001 to 80,000 pounds, inclusive, eighteen dollars;~~
- ~~(5) For each additional 2,000 pounds or major fraction thereof in excess of 80,000 pounds, twenty-four dollars~~ a vehicle in excess of 20,000 pounds, the total license fee shall be sixty percent of the total license fee established for commercial vehicles of equivalent weight pursuant to § 32-9-15.

It is a Class 2 misdemeanor for a person to operate a motor vehicle licensed pursuant to this section at a gross weight in excess of the gross weight for which it has been licensed. If the

owner chooses to lower the registered weight, the plate shall be returned along with any validation decal and a new plate issued with the correct registered weight.

Section 13. That § 32-5-6.1 be amended to read as follows:

32-5-6.1. License fees for any noncommercial motor home shall be determined by the manufacturer's shipping weight, including accessories, as follows:

- (1) Six thousand pounds or less, inclusive, ~~sixty ninety~~ sixty dollars;
- (2) From 6,001 to 8,000 pounds, inclusive, ~~eighty one hundred twenty~~ eighty dollars;
- (3) From 8,001 to 10,000 pounds, inclusive, one hundred fifty dollars;
- (4) For each additional 2,000 pounds or major fraction thereof, in excess of 10,000 pounds, ~~twenty thirty~~ twenty dollars.

For the purposes of this section, a motor home is a vehicle designed to provide temporary living quarters for recreational, camping, or travel use, built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle.

Section 14. That § 32-5-8 be amended to read as follows:

32-5-8. License fees and compensation for any recreational vehicle as defined in § 32-3-1 or for any noncommercial trailer and semitrailer, for use of the highways payable under § 32-5-5 and pulled by a noncommercial motor vehicle on which the license fees were paid pursuant to § 32-5-6, shall be determined upon the basis of their actual weight as follows:

- (1) One thousand pounds or less, inclusive, ~~ten fifteen~~ ten dollars;
- (2) From 1,001 to 2,000 pounds, inclusive, ~~twenty thirty~~ twenty dollars;
- (3) From 2,001 to 3,000 pounds, inclusive, ~~thirty-five forty-five~~ thirty-five dollars;
- (4) From 3,001 to 4,000 pounds, inclusive, ~~forty-five sixty~~ forty-five dollars;
- (5) From 4,001 to 5,000 pounds, inclusive, ~~fifty-five seventy-five~~ fifty-five dollars;

- 1 (6) From 5,001 to 6,000 pounds, inclusive, ~~sixty-five~~ ninety dollars;
- 2 (7) From 6,001 to 7,000 pounds, inclusive, ~~seventy-five~~ one hundred five dollars;
- 3 (8) From 7,001 to 8,000 pounds, inclusive, ~~eighty-five~~ one hundred twenty dollars;
- 4 (9) From 8,001 to 9,000 pounds, inclusive, ~~ninety-five~~ one hundred thirty-five dollars;
- 5 (10) From 9,001 to 10,000 pounds, inclusive, one hundred ~~five~~ fifty dollars;
- 6 (11) For each additional 1,000 pounds or major fraction thereof, in excess of 10,000
- 7 pounds, ~~ten~~ fifteen dollars.

8 Any trailer or semitrailer licensed pursuant to this section may be pulled by a

9 noncommercial motor vehicle licensed pursuant to § 32-5-8.1 or a commercially licensed motor

10 vehicle if the motor vehicle is registered at a gross weight to cover the weight of the trailer and

11 its load.

12 Section 15. That § 32-5-9 be amended to read as follows:

13 32-5-9. License fees and compensation for use of the highways payable under § 32-5-5 shall

14 be: ~~nine~~ fourteen dollars and fifty cents for motorcycles with a piston displacement of less than

15 three hundred fifty cubic centimeters and ~~twelve~~ seventeen dollars for motorcycles with a piston

16 displacement of three hundred fifty cubic centimeters or more.

17 Section 16. That § 32-6B-21 be amended to read as follows:

18 32-6B-21. The department shall issue metal numerical license plates to licensed dealers

19 upon application and payment of a ~~forty-two~~ eighty-four dollar yearly fee to be paid at the time

20 of the annual review date for each set desired. ~~Such~~ The fees shall be distributed in the manner

21 specified in §§ 32-11-2 and 32-11-4.1 to 32-11-9, inclusive. The license plates shall be

22 numbered consecutively and shall bear as a prefix the number 77. The plates may be issued for

23 a multiple year period. If a dealer's license is revoked or canceled or the dealer goes out of

24 business the 77 plates shall be returned to the department. If any person operates a motor vehicle

1 with 77 plates after the dealer license is revoked or canceled or after the dealer goes out of
2 business, or if the person refuses to return the plates, the person is guilty of a Class 2
3 misdemeanor.

4 Section 17. That § 32-6B-23 be amended to read as follows:

5 32-6B-23. The department shall issue to any motorcycle dealer and trailer dealer licensed
6 pursuant to this chapter metal number plates bearing a prefix of the letter "D" and containing
7 a distinguishing identification number of the licensee. The dealer shall make application to the
8 department for the plates and pay a fee of ~~ten~~ twenty dollars for each plate. One license plate
9 shall be displayed on the rear of any motorcycle, or trailer, semitrailer, or travel trailer, owned
10 by the dealer while traveling on a public highway. Any vehicle owned by the licensed dealer and
11 bearing the dealers' metal plate may be operated on the streets and highways of this state for any
12 purpose, including demonstration by a prospective buyer. All money collected pursuant to this
13 section shall be distributed in the manner specified in § 32-11-2 and §§ 32-11-4.1 to 32-11-9,
14 inclusive.

15 Section 18. That § 32-6B-36.3 be amended to read as follows:

16 32-6B-36.3. The department shall issue metal numerical license plates to an auction agency
17 upon application and payment of a ~~forty-two~~ eighty-four dollar yearly fee to be paid at the time
18 of the annual review date for each set desired. Such fees shall be distributed in the manner
19 specified in §§ 32-11-2 and 32-11-4.1 to 32-11-9, inclusive. The license plates shall be
20 numbered consecutively and shall bear as a prefix the number "99." The plates may be issued
21 for a multiple year period. If an auction agency's license is revoked or canceled or the auction
22 agency goes out of business, the "99" plates shall be returned to the department. If any person
23 operates a motor vehicle with "99" plates after the auction agency's license is revoked or
24 canceled or after the auction agency goes out of business, or if the person refuses to return the

1 plates, the person is guilty of a Class 2 misdemeanor.

2 Section 19. The provisions of sections 11 to 18, inclusive, of this Act are effective on July 1,

3 2013.